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AF/1615 JMW

PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/728,716
Filing Date	November 30, 2000
First Named Inventor	O'Brien
Art Unit	1615
Examiner Name	Gollamudi S. Kishore, Ph.D.
Attorney Docket Number	15907-0022

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final Executed Declaration Under 37 CFR 1.132	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Declaration and Power of Attorney	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Statement Under 37 CFR 3.73(b)	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	return postcard
<input type="checkbox"/> Certified Copy of Priority(ies) Document	<input type="checkbox"/> Statement under 37 CFR 1.821-1.825	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> 1 paper copy & 1 diskette	
<input type="checkbox"/> Reply to Missing Parts Under 1.52 and 1.53		

**Remarks**

The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees to Deposit Account No. 08-1641.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Heller Ehrman LLP		
Signature			
Printed name	Leslie Mooi		
Date	April 14, 2005	Reg. No.	37,047

**CERTIFICATE OF TRANSMISSION/EXPRESS MAILING**I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as EXPRESS mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:  
EXPRESS MAIL NO.: EL 993 634 175 US

Signature	Rachel Mena		
Typed or printed name		Date	April 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of O'Brien et al.	) Examiner: Gollamudi S. Kishore, Ph.D.
	)
For: <b>RADIATION SENSITIVE LIPOSOMES</b>	) Group Art Unit: 1615
	)
Serial No.: 09/728,716	) Confirmation Number: 4843
	)
Filed: November 30, 2000	) Attorney Docket No. 15907-0022
	)
	) Customer No. 35489
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**EXPRESS MAIL NO.: EL 993 634 175 US**  
**DATE MAILED: April 14, 2005**

**RESPONSE TO OFFICE ACTION**

MAIL STOP AMENDMENT  
Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Final Office Action mailed on February 14, 2005 in connection with the above-identified patent application, please enter the following remarks. Applicants enclose herewith a Declaration under 35 U.S.C. §1.132 by Bruce Bondurant, Ph.D. This response is being filed to place the application in better condition for allowance or appeal.

**The Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.